

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

TO BE FILED UNDER SEAL¹

-against-

ORDER

KEITH RANIERE, also known as Vanguard,
CLARE BRONFMAN, ALLISON MACK,
KATHY RUSSELL, LAUREN SALZMAN,
and NANCY SALZMAN, also known as Prefect,

18 Crim. 204 (NGG) (VMS)

Defendants.

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VERA M. SCANLON, United States Magistrate Judge:

In the Court's Order dated April 6, 2019, ECF No. 505, the Court found that it did not have sufficient information to make a privilege determination as to one of the disputed emails, Index No. 190 (DOJ_Bronfman_Priv_00002654). The subject email was sent by an attorney retained by [REDACTED], and the recipients were [REDACTED]

[REDACTED]
[REDACTED]. As described in Defendant Bronfman's privilege motion, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. The Court concluded that it did not have sufficient information to assess the impact that [REDACTED] inclusion on an otherwise intra-corporate email had on the claimed privilege, and invited

¹ Only the Court, Defendant Bronfman and her counsel, and the privilege review team may have access to this Order. A redacted public copy will be filed on the docket.

Defendant Bronfman to submit additional evidence. Defendant Bronfman made a supplemental submission on April 10, 2019. ECF No. 520.

The Court has reviewed the supplemental information submitted by Defendant Bronfman and concludes that [REDACTED] inclusion on the subject email did not destroy privilege.

Defendant Bronfman submitted documentation of the administrative work that [REDACTED] performed [REDACTED]

[REDACTED]. Based on the information provided, [REDACTED] inclusion on the subject communication was consistent with the tasks she performed [REDACTED]. See, e.g., U.S. ex rel. Miller v. Bill Harbert Int'l Constr., Inc., No. 95 Civ. 1231 (RCL), 2007 WL 915235, at *2-3 (D.D.C. March 27, 2007) (presence of client's assistant did not waive privilege when assistant's job was to witness documents and ensure a record of their creation).

Accordingly, the Court finds that the email at Index No. 190 is privileged and shall not be released any further.

Dated: April 12, 2019
Brooklyn, New York

Vera M. Scanlon

VERA M. SCANLON
United States Magistrate Judge